

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 5: Rio Gallina

Subfile No. CHGA-002-0050

MOTION TO VACATE CONSENT ORDER

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to vacate the Consent Order filed April 10, 2002 (Docket No. 6650) in connection with Defendant MIKE JACQUEZ and Subfile CHGA-002-0050, and as grounds Plaintiff states as follows:

1. The Consent Order filed April 10, 2002 in Subfile CHGA-002-0050 incorrectly describes the location of the irrigated acreage. The description of the amount of irrigated acreage (9.1 acres) is correct.
2. The Consent Order filed April 10, 2002 in Subfile CHGA-002-0050 should be vacated.
3. The Defendant has signed and approved a revised Consent Order to be filed with the Court that corrects the errors described in paragraph one above.
4. The Defendant supports the granting of this motion.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to vacate the Consent Order filed April 10, 2002 (Docket No. 6650) in connection with Defendant Mike Suazo and Subfile CHGA-002-0050.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion to Vacate Consent Order was mailed to following persons on March 29, 2005.

/s/ Ed Newville
Edward G. Newville

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